IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:07ev275

JANICE ANN THOMPSON; and husband TERRY LEE THOMPSON,	
Plaintiffs,	
Vs.	ORDER
COVENANT TRANSPORT, INC.; and JACKIE LEONARD GRANGER,)))
Defendants.	

THIS MATTER is before the court on defendant Covenant Transport, Inc.'s Motion to Compel, which was filed October 23, 2007. Plaintiffs' response was due to be filed not later than November 9, 2007. Plaintiffs, who are proceeding *pro se*, were earlier warned by this court when they refused to participate in the initial conference, as follows:

Plaintiffs, who are proceeding *pro se*, are advised that they are responsible for compliance with all deadlines, responding to discovery requests, participating in conferences, and ultimately in moving this case forward. Because failure to follow rules, obey Court orders, or participate in discovery could result in the dismissal of this action with prejudice or other sanctions, they are strongly encouraged to retain substitute counsel.

Despite such cautionary advice, plaintiffs have failed to respond to defendant's properly propounded discovery requests, propound initial disclosures as required by this court's Pretrial Order, or respond in any manner to the Motion to Compel. Good cause having been shown, the court will allow the Motion to Compel.

ORDER

IT IS, THEREFORE, ORDERED that defendant Covenant Transport, Inc.'s

Motion to Compel (#10) is **GRANTED**, and plaintiffs shall provide defendant

Covenant Transport, Inc., with the required initial disclosures and fully answer such

defendant's first set of discovery not later than November 26, 2007. Failure to fully

comply with this Order by such date will result in the imposition of sanctions,

which may include but may not be limited to a recommendation to the district

court that this action be dismissed with prejudice. Again, plaintiffs are

encouraged to retain counsel inasmuch as important legal rights are at stake in this

matter and may be permanently lost.

Signed: November 15, 2007

Posses & Hause

Dennis L. Howell

United States Magistrate Judge